

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DERRICK L. KING, )  
Plaintiff, )  
v. )  
MICHAEL BARONE, et al., )  
Defendants. )  
Civil Action No. 09-175 Erie

**MEMORANDUM ORDER**

This civil rights action was received by the Clerk of Court on August 12, 2009 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 65], filed on January 19, 2012, recommended that the Defendants' motion for summary judgment [ECF No. 58] be granted. The parties were allowed fourteen (14) days from the date of service to file objections. Plaintiff filed objections [ECF No. 67] on February 10, 2012. After de novo review of the documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 14<sup>th</sup> day of February, 2012;

IT IS HEREBY ORDERED that the Defendants' motion for summary judgment [ECF No. 58] is GRANTED. The Report and Recommendation [ECF No. 65] of Magistrate Judge Baxter, filed on January 19, 2012, is adopted as the opinion of the Court. The clerk is directed to close the case.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge